

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
AT LAW AND IN ADMIRALTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$11,360.00 IN UNITED
STATES CURRENCY,

Defendant.

VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM

The United States of America, by its attorneys, Gregory J. Haanstad, United States Attorney for the Eastern District of Wisconsin, and Bridget J. Schoenborn, Assistant United States Attorney for this district, alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

Nature of the Action

1. This is a civil action to forfeit property to the United States of America, under 21 U.S.C. § 881(a)(6), for violations of 21 U.S.C. § 841(a)(1).

The Defendant In Rem

2. The defendant property, approximately \$11,360.00 in United States currency, was seized on or about January 12, 2023, from Jarrell Jones and Barbie Byers at 3XXX North 40th Street, Milwaukee, Wisconsin.¹

3. The defendant property is presently in the custody of the United States Marshal Service in Milwaukee, Wisconsin.

¹ Throughout this complaint, certain information has been redacted using the letter “X” as a means of avoiding the revelation of any personal information.

Jurisdiction and Venue

4. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

5. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b).

6. Venue is proper in this district under 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district.

Basis for Forfeiture

7. The defendant property, approximately \$11,360.00 in United States currency, is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6) because it was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

Facts

8. Marijuana is a Schedule I controlled substance under 21 U.S.C. § 812.

9. Tetrahydrocannabinol (“THC”) is a Schedule I controlled substance under 21 U.S.C. § 812.

10. Heroin is a Schedule I controlled substance under 21 U.S.C. § 812.

11. Cocaine is a Schedule II controlled substance under 21 U.S.C. § 812.

12. On or about September 3, 2008, Jarrell Jones pleaded guilty to a felony count of possession of THC with intent to deliver (>200-1,000 grams) in Milwaukee County Case No. 08CF2787.

13. Since on or about September 3, 2008, Jarrell Jones has been, and remains, a convicted felon.

14. As a convicted felon, Jarrell Jones is prohibited from possessing a firearm.

Background Investigation

15. A confidential informant (“CI”) stated that Jarrell Jones was involved in the sale of controlled substances.

16. The CI further stated that Jarrell Jones lives at 3XXX North 40th Street, Milwaukee, Wisconsin (the “N. 40th Street residence”) and that narcotic activity occurs at that residence.

17. The CI also stated that Jarrell Jones drives a four-door black Lexus sedan.

18. In December 2022, officers conducted surveillance at the N. 40th Street residence and saw Jarrell Jones enter and exit the N. 40th Street residence numerous times. Jarrell Jones drove a black Lexus bearing Wisconsin license plate ANK-7XXX, which was registered to a female having the initials A.H. with an address of 9XXX W. Swan Circle, Milwaukee, Wisconsin.

19. During one stretch of surveillance, the Lexus drove away from the N. 40th Street residence on three occasions, for less than ten minutes each time, before returning. On the first two occasions, upon returning the driver did not exit the vehicle. But on the third occasion, Jarrell Jones exited the driver’s seat, removed a black backpack from the front passenger seat, and entered the N. 40th Street residence. Based on their training and experience, officers believe that on those three short-term occasions, Jarrell Jones conducted mobile drug transactions. Officers know, based on their training and experience, that individuals who engage in mobile narcotic trafficking will often stay in their vehicle for long periods of time while setting up deals, and mobile traffickers will often carry a to-go bag that contains narcotics for the day, money, and firearms.

January 10, 2023 delivery of suspicious parcel to 5XXX N. 35th Street, Milwaukee, Wisconsin, and subsequent delivery of that parcel to the N. 40th Street residence

20. On January 10, 2023, the United States Postal Inspection Service (“USPIS”) identified two suspicious parcels mailed from California and addressed to recipients at the following addresses:

- A. One parcel was addressed to Montreal Harper at 5XXX N. 35th Street, Milwaukee, Wisconsin. Montreal Harper is a fictitious name and not associated with 5XXX N. 35th Street, Milwaukee, Wisconsin
- B. The second parcel was addressed to Nicole Medford at 9XXX West Swan Circle, Milwaukee, Wisconsin.² Nicole Medford is a fictitious name and not associated with 9XXX West Swan Circle, Milwaukee, Wisconsin.

21. Based on the investigation, officers believe that both suspicious parcels were related to their drug investigation into Jarrell Jones for reasons including, but not limited to, the following:

- A. Jarrell Jones’ listed 5XXX N. 35th Street, Milwaukee, Wisconsin, as his address with the Wisconsin Department of Transportation.
- B. The 5XXX N. 35th Street, Milwaukee, Wisconsin, address is also listed as the residence of Jarrell Jones’ father, W.B.
- C. The Lexus that Jarrell Jones drives is registered to 9XXX West Swan Circle, Milwaukee, Wisconsin, as noted in paragraph 18.

22. USPIS inspectors intercepted the parcel addressed to 9XXX W. Swan Circle and obtained a federal search warrant for the parcel. Inside that parcel were four wrapped brick-shaped packages that contained a total of approximately 4,676 grams of cocaine.

23. A controlled delivery of the parcel addressed to 5XXX N. 35th Street, Milwaukee, Wisconsin (the “N. 35th Street residence”) was conducted. Surveillance at the N. 35th Street residence showed that the parcel was delivered and placed on the front doorstep of 5XXX N. 35th Street at about 12:15 p.m. At about 12:17 p.m., W.B. reached out the front door and brought the

² This is the same address mentioned in paragraph 18.

parcel inside the N. 35th Street residence. About five minutes later, W.B. exited the N. 35th Street residence with what appeared to be the same parcel. W.B. entered the front passenger seat of a Chevy Malibu, and the vehicle drove away.

24. Surveillance at the N. 40th Street residence showed that at about 12:15 p.m. – the time that the suspicious parcel had been delivered to the N. 35th Street residence – Jarrell Jones exited the N. 40th Street residence, entered his Lexus, and drove to the area of 3100 N. 47th Street in Milwaukee where, based on their training and experience, officers believe Jones conducted a suspected narcotic transaction. Jones then drove around the area of the N. 35th Street residence for about 40 minutes. Based on their training and experience, officers believe that Jones was conducting counter surveillance, looking for the presence of police.

25. At about 1:15 p.m., the Chevy Malibu arrived at the N. 40th Street residence. W.B. exited the front passenger seat and entered the N. 40th Street residence. T.B., who is W.B.'s son, exited the driver's seat of the Malibu, removed from the vehicle what appeared to be the same parcel that had been delivered to the N. 35th Street residence about one hour earlier, and entered the N. 40th Street residence with the parcel.

26. At about 1:56 p.m., Jarrell Jones arrived back at the N. 40th Street residence in his Lexus and entered the residence.

27. Based on their training and experience, officers believe that Jarrell Jones intentionally had the two suspicious parcels delivered to 5XXX N. 35th Street, Milwaukee, Wisconsin, and 9XXX West Swan Circle, Milwaukee, Wisconsin, to avoid detection of his criminal activity and because he had familiarity with both residences.

January 12, 2023 execution of search warrant at the N. 40th Street residence

28. On January 12, 2023, officers executed a search warrant at 3XXX North 40th Street, Milwaukee, Wisconsin.

29. Individuals present during execution of the search warrant were Jarrell Jones, Barbie Byers (Jarrell Jones' mother), and two juvenile males (Jarrell Jones' sons).

30. When officers arrived at the N. 40th Street residence, Jarrell Jones was exiting the northeast first-floor bedroom area of the residence.

31. In Jarrell Jones' pants pockets were a baggie containing approximately 9.4 grams of marijuana and \$400 in United States currency.³

32. On January 12, 2023, the following items, among other things, were inside the N. 40th Street residence:

- A. In the northeast first-floor bedroom were the following:
 - i. A Glock 22 semi-automatic firearm with an extended magazine inserted.
 - ii. On open box of baggies.
 - iii. A November 30, 2022 letter from the State of Wisconsin Department of Children and Families addressed to Jarrell Jones.
 - iv. Approximately \$11,360.00 in United States currency inside the pocket of a jacket. The money was bundled with a rubber band. Denominations of the currency were 16-\$100 bills, 38-\$50 bills, and 393-\$20 bills.
- B. In the first-floor bathroom, directly next to the northeast first-floor bedroom, was a baggie inside the tank of the toilet. Inside the baggie were two baggies containing a total of approximately 24.03 grams of crack cocaine and one baggie containing approximately 0.9 grams of heroin.
- C. On the first-floor dining room table was a digital scale.
- D. In the southwest second-floor bedroom nightstand was a baggie containing approximately 19.7 grams of marijuana.
- E. In the northwest second-floor bedroom closet was a loaded Ruger P95 semi-automatic firearm with a magazine inserted. The serial number on the firearm had been scratched off.

³ The \$400 is not part of the defendant approximately \$11,360 in United States currency in this case.

33. Throughout the residence were identifiers and mail for Jarrell Jones.

34. Parked at the residence during execution of the search warrant were the Lexus driven by Jarrell Jones, along with a vehicle registered to Barbie Byers and a vehicle registered to T.B.

January 12, 2023 statement of Barbie Byers

35. Barbie Byers (“Byers”) agreed to speak with an officer and stated, among other things, the following:

- A. Byers lives at the N. 40th Street residence.
- B. Jarrell Jones is Byers’ son and lives at the N. 40th Street residence when he is in town.
- C. Jarrell Jones sleeps in the northeast first-floor bedroom.
- D. Byers sleeps in the southwest second-floor bedroom.
- E. Byers admitted smoking marijuana regularly and possessing the marijuana found in her bedroom.
- F. Byers’ other son, T.B., lives with his dad, W.B., at the N. 35th Street residence.
- G. Jarrell Jones drives the Lexus that was parked at the N. 40th Street residence.
- H. Byers does not own any firearms.
- I. Byers has seen Jarrell Jones with a firearm and knows that Jones regularly carries a gun.

Jarrell Jones’ State Drug Charges

36. On January 15, 2023, Jarrell Jones was charged in Milwaukee County Circuit Court, Case No. 23CF186, with possession of cocaine with intent to deliver – second or subsequent offense, use of a dangerous weapon, as a party to a crime – and with two counts of felon in possession of a firearm.

37. Jarrell Jones also has an open case from an April 9, 2021 incident in which he was charged in Milwaukee County Circuit Court, Case No. 21CF1567, with possession of cocaine with intent to deliver.

Administrative Forfeiture Proceedings

38. The Drug Enforcement Administration (“DEA”) began administrative forfeiture proceedings against the approximately \$11,360.00 in United States currency on the ground that the seized currency was used or intended to be used in exchange for controlled substances or was proceeds of trafficking in controlled substances.

39. On or about March 21, 2023, Barbie Byers filed a claim with the DEA in the administrative forfeiture proceedings to the defendant approximately \$11,360.00 in United States currency.

Warrant for Arrest In Rem

40. Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendant property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

Claims for Relief

41. The plaintiff alleges and incorporates by reference the paragraphs above.

42. By the foregoing and other acts, the defendant property, approximately \$11,360.00 in United States currency, was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

43. The defendant approximately \$11,360.00 in United States currency is therefore subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant property be issued; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that judgment declare the defendant property to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and equitable, together with the costs and disbursements of this action.

Dated at Milwaukee, Wisconsin, this 5th day of June, 2023.

Respectfully submitted,

GREGORY J. HAANSTAD
United States Attorney

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Verification

I, James Enters, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the Drug Enforcement Administration (DEA) in Milwaukee, Wisconsin, that I have read the foregoing Verified Complaint for Civil Forfeiture *in rem* and know the contents thereof, and that the factual matters contained in paragraphs 8 through 35 of the Verified Complaint are true to my own knowledge.

The sources of my knowledge and information are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Task Force Officer with the DEA.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Date: 06/02/2023

s/TFO James Enters

James Enters
Task Force Officer
Drug Enforcement Administration